

**PARKS AND CULTURAL AFFAIRS COMMITTEE
OF THE
SUFFOLK COUNTY LEGISLATURE**

Minutes

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A regular meeting of the Parks and Cultural Affairs Committee of the Suffolk County Legislature was held in the Rose Y. Caracappa Legislative Auditorium of the William H. Rogers Legislature Building, 725 Veterans Memorial Highway, Smithtown, New York on Wednesday, **February 9, 2005**.

MEMBERS PRESENT:

Leg. Jay H. Schneiderman, Chairman
Leg. Lynne C. Nowick, Vice•Chairperson
Leg. Cameron Alden
Leg. Angie Carpenter
Leg. Jon Cooper
Leg. William J. Lindsay (excused absence)

ALSO IN ATTENDANCE:

Mea Knapp, Counsel to the Legislature
Ian Barry, Assistant Counsel to the Legislature
Alexandra Sullivan, Chief Deputy Clerk
Ronald F. Foley, Commissioner of Parks
Terry Pearsall, Aide to Leg. Lindsay
Kim Kennedy, Aide to Leg. Caracciolo
Charles Bender, Aide to PO's Office
Ben Zwirn, Assistant Deputy County Executive
Frank Tassone, Aide to Majority Leader
Amy Duryea, Aide to Leg. Schneiderman
Eric Brown, Aide to Leg. Schneiderman
Greg Moran, Aide to PO's Office
Sean Clancy, Budget Review Office
Susan LeBow

MINUTES TAKEN BY:

Diana Kraus, Court Stenographer

(THE MEETING CONVENED AT 11:47 AM)

CHAIRMAN SCHNEIDERMAN:

Legislators for the Parks and Cultural Affairs Committee, please report to the horseshoe. We're about to begin.

I'd like to call the meeting to order. If you all will rise and join us for the Pledge of Allegiance led by Deputy Presiding officer Angie Carpenter.

LEG. CARPENTER:

Thank you.

(SALUTATION)

CHAIRMAN SCHNEIDERMAN:

Thank you for coming this morning. I expect this to be an exceedingly brief meeting. We have a very limited agenda.

I have one yellow card, but it is an individual who is being considered for a resolution of appointment. So, I will wait until we get to that resolution and ask that individual to come forward. If you have not filled out a yellow card and want to speak on any other matters, please identify yourself.

Okay. At this point I'd like to move to the agenda. **Resolution 2323 appointing Maria Figalora as a member of the Suffolk County Vanderbilt.**

LEG. CARPENTER:

Motion to table. She's not able to be here this morning.

LEG. ALDEN:

Second.

CHAIRMAN SCHNEIDERMAN:

Okay. Motion by Legislator Carpenter, second by Legislator Alden. All in favor? Any opposed?
So tabled. (Vote: 4•0•0•2. Legislators Cooper and Lindsay not present)

Okay. Tabled resolution 2342 (amending the adopted 2005 Operating Budget to transfer funds from Fund 477 Water Quality Protection, amending the 2005 Capital Budget Program and appropriating funds in connection with parking lot improvements at Meschutt County Park)

LEG. ALDEN:

Motion to table.

CHAIRMAN SCHNEIDERMAN:

Motion to table Legislator Alden. Second by Legislator Carpenter. All in favor? **2342 is tabled. (Vote: 4•0•0•2. Legislators Cooper and Lindsay not present)**

LEG. CARPENTER:

Just to mention on this, there was much discussion yesterday in Committee about the Fund 477 and the process that needs to take place with these resolutions. So, that I think is why there's a tabling motion.

LEG. ALDEN:

I could get nasty with the explanation but ••

CHAIRMAN SCHNEIDERMAN:

Does our Park Commissioner wish to comment on that at this point? On 2242?

COMMISSIONER FOLEY:

I don't think so.

CHAIRMAN SCHNEIDERMAN:

It's a process question. I think we're straightening it out. And I hope we're able to move forward. Okay.

Resolution 1022, amending resolution 322•04 to extend the deadline for ATV Task Force.

LEG. ALDEN:

Motion to approve.

CHAIRMAN SCHNEIDERMAN:

Motion to approve by Legislator Alden, second by Legislator Carpenter.

All in favor? **Resolution 1022 passes. (Vote: 5•0•0•1. Leg. Lindsay not present)**

1023, appointing Joanna Ferraro•Levy as a member of the Suffolk County Citizens Advisory Board for the Arts. Motion by the Chair to approve. She is a •• she's already on. It's a reappointment. So, she's already on the committee. We don't typically make these reappointments come back in.

LEG. ALDEN:

Right ••

LEG. CARPENTER:

Is she recently reappointed? Because generally they do. I mean we have had them come in unless it was just like within the last month or two.

CHAIRMAN SCHNEIDERMAN:

I do have her resume if people want to see it.

LEG. ALDEN:

I have one other question. Any relationship to the County Executive?

CHAIRMAN SCHNEIDERMAN:

Not that I'm aware of.

LEG. ALDEN:

It's a fair ••

CHAIRMAN SCHNEIDERMAN:

Not that that would preclude her from serving ••

LEG. ALDEN:

No, no. But weirder things have happened. Like, for instance when the County Executive established his transition force, he put people on there that had lawsuits against the County. And it cost the County million of dollars.

CHAIRMAN SCHNEIDERMAN:

I'm quite familiar with this woman. She has no suits against the County that I'm aware of. She's very active in the Westhampton area performing arts theatre. She's a former aide to Assemblyman Field. And I think she'd be a terrific person to have there.

LEG. CARPENTER:

Well, I'm just looking at the resolution. And it says here that her term expired in June. So, she's been in the hold•over status. And it's a three•year term so obviously she was appointed in 2001. So, it has been a while since she's been before the Legislature. So, if it's not a hardship, if she could come to the next meeting. If it is, then, you know, certainly we can consider passing it. But I think it's nice to have them come down to the Committee.

CHAIRMAN SCHNEIDERMAN:

Could I ask •• could I ask that we discharge it, then, without recommendation and I'll ask her to come to the full Legislature? Just so we could move it along?

LEG. ALDEN:

I don't know if you have to do that. I mean, just •• at some point, though, I think Legislator Carpenter's asked, you know if she could just come in and talk to us for a little bit. It's not unreasonable.

CHAIRMAN SCHNEIDERMAN:

Oh, that's fine.

LEG. ALDEN:

But I think we should just pass it then.

CHAIRMAN SCHNEIDERMAN:

Pass it and then have her come in at some point in the future.

LEG. CARPENTER:

Tuesday? That's even better.

CHAIRMAN SCHNEIDERMAN:

I'm sure she would have no problem. I'll try it both ways. But I hate to make her wait on Tuesday. Can I have her just maybe reach out. How about the next meeting of •• of this Committee? Okay. Okay. Again ••

LEG. ALDEN:

That's fine. Second to your motion.

CHAIRMAN SCHNEIDERMAN:

Okay. I made the motion. It's seconded by Legislator Alden. All in favor? Any opposed? Passed and carried. **(Vote: 5•0•0•1. Leg. Lindsay not present)**

1026, reappointing Susan LeBow as a member of the Suffolk County Vanderbilt Museum Commission.

LEG. COOPER:

Motion.

CHAIRMAN SCHNEIDERMAN:

This again is a reappointment. I'm not familiar with Susan.

LEG. CARPENTER:

Susan is here. She's come down to speak. Perhaps she could come forward.

CHAIRMAN SCHNEIDERMAN:

Susan, if you'll approach the horseshoe and perhaps take a seat at the table before us.

MS. LEBOW:

Thank you.

CHAIRMAN SCHNEIDERMAN:

If you could introduce yourself and just tell us why you're interested in continuing to serve in this capacity.

MS. LEBOW:

I am Susan LeBow. Well, I am interested in doing community service; very interested in the museum. I have recently been elected as Second Vice•Chair of the board pending your reappointment. We have a lot of projects under discussion. And I'd like to see the fruition of these projects with which I've been an integral part.

CHAIRMAN SCHNEIDERMAN:

I'll just ask one question of counsel. Although I think I know the answer already. You had appraised me in the past that there was certain requirements for those who serve on this board. Statutory requirements. And I just wanted to clarify that Ms. LeBow does meet those requirements.

MS. KNAPP:

Actually by virtue of her previous service, she will have met those those requirements. It is primarily for new appointments that the •• to the Vanderbilt that there has to be some arts experience. But even before the Vanderbilt, probably Ms. LeBow would have qualified.

MS. LEBOW:

Thank you.

CHAIRMAN SCHNEIDERMAN:

Thank you. Any other questions or comments from the Committee?

LEG. ALDEN:

I know that •• is this •• actually it's a question of counsel. Is this subject to review by the County Executive's Office? Or does this appointment just go from us? It doesn't have to be signed by the County Executive? And here's why I'm asking it. Because the Chief Deputy County Executive, when he was over in this body, made a big deal out of peoples' attendance records and actually had some people thrown off the board; even some people that had missed because they had gone in for operations and were sick and things like that. But he was very, very strict as far as scrutiny for their attendance.

I, on the other hand, you know, really like to take a more human side and look at it. And if somebody missed some meetings because they were sick, I like that flexibility that we could just keep them on the board whereas his assistance upon throwing people off, you know, was, I thought very intolerant and inflexible. So, does this go for County Executive review? Then, if it does, just be forewarned that you might have some comments from the County Executive's Office as far as questioning attendance records and things like that.

MS. LEBOW:

I don't believe it goes to review. The last time I was appointed ••

LEG. ALDEN:

I hope it doesn't, because I know that you've served and you bring a lot to the table over there. So, I would hope that it would just be our •• just up to us basically.

MS. KNAPP:

Looking at the charter very quickly, it should be a procedural resolution. And let me double check because sometimes errors are made. This one is procedural.

LEG. ALDEN:

Good. All right.

MS. LEBOW:

Then, I thank you.

CHAIRMAN SCHNEIDERMAN:

Okay. Sorry. Legislator Carpenter.

LEG. CARPENTER:

If I could, I just want to •• it seems so fitting that Miss LeBow started her comments with community service because she has, in addition to having served on the Vanderbilt Museum Board of Trustees, has served has County so admirably as a trustee on Community College for many, many years and really has given back. So, I'm pleased that your willing to come forward and continue on the Vanderbilt board.

MS. LEBOW:

Thank you.

CHAIRMAN SCHNEIDERMAN:

Yes, I share the same enthusiasm.

LEG. ALDEN:

Have you ever been there?

CHAIRMAN SCHNEIDERMAN:

Yes, I have. Not only have I visited recently, but as a school kid many, many times we went to field trips to the Vanderbilt. I mean the County's actually very fortunate to have a facility like that and to have people like yourselves and your stature there making sure that it's used to the greatest benefit of the communities.

MS. LEBOW:

That is indeed our goal, yes.

CHAIRMAN SCHNEIDERMAN:

Okay.

LEG. COOPER:

Motion.

LEG. CARPENTER:

Second.

CHAIRMAN SCHNEIDERMAN:

All in favor? Aye. Any opposed? Okay. Congratulations. **(Vote: 5•0•0•1. Leg. Lindsay not present)**

MS. LEBOW:

Thank you very much.

CHAIRMAN SCHNEIDERMAN:

You have one more step. You need not appear in front of the full committee •• the full Legislature.

LEG. COOPER:

You do not have to.

CHAIRMAN SCHNEIDERMAN:

You do not have to.

MS. LEBOW:

Thank you very much.

LEG. ALDEN:

Unless the Deputy County Executive comes over.

CHAIRMAN SCHNEIDERMAN:

All right. Stop it. **1039, appointing David D'Orazio, who is here, as a member of the Suffolk County Vanderbilt Museum Commission.** Okay. Let me ask you on the record. Good morning.

If I could as you just identify yourself for the record and then to speak briefly about your interest in serving on the committee and why.

MR. D'ORAZIO:

Sure. My name is Dave D'Orazio. Again, I want to thank you for having me here this morning. It would be my honor to serve on the committee •• board of trustees for the Vanderbilt. I've done some volunteer work and worked with some interesting institutions, but the Vanderbilt has always caught my eye. And I've sat in on some board meeting as a spectator to see how the system works over there. I am familiar with some of the projects and what they're doing as far as rebuilding the boardwalk and the sky plane hangar. And I think it's wonderful. I think I would be coming in at a time when the Vanderbilt is going to be in its hey day. The ideas that they have are interesting. It's going to bring a lot more people, I think, to the museum. And I think I have a lot to offer.

I have sat in on the Long Island Railroad Museum. I've been a member there for two years. I do work for the Long Island Railroad. And what we do over there is repair and restore artifacts and equipment for the public interest because the old railroad was a lot different than the new railroad. And there's a lot of people that are interested in seeing what it was about.

I always have experience at the Nassau County Museum of Art, where I work with Suzanne •• Angela Anton, rather •• I'm sorry •• on the fund raising committee. I can bring in some ideas and make some recommendations as to what we can do to bring in more money. Corporate money is important for some of these areas when they're cutting budgets in this era. And I've done some volunteer work with the Long Island Advertising Club with Michael _Deloise_ and T. Walker Lloyd last year. We had a very big affair over at the Cradle of Aviation. And I sat in on some of the meetings to make some suggestions on how they can streamline the event being that there were 800 people black•tie. And they are afraid they weren't going to be able to get the event to go through. They asked me to come in and ask •• give them some marketing ideas and what I thought would be a good idea. And the entire event went on perfect.

CHAIRMAN SCHNEIDERMAN:

Before I move onto questions from the committee, although I have no doubt that you will meet the requirements, I'd like to officially ask of our Counsel if she has reviewed your resume and found that you do meet the statutory requirements of the County charter.

MS. KNAPP:

His work with the Nassau County Museum of Art and the Railroad Museum, I think, well

qualifies him.

CHAIRMAN SCHNEIDERMAN:

Okay. Thank you, Counsel. Any questions from any of the Legislators on the Committee? Legislator Nowick.

LEG. NOWICK:

I was just curious. Yes. Are there other openings on the Board there? Legislative Counsel, maybe you would know that?

MS. KNAPP:

I don't know the answer to that offhand. But if you'd like, I can print out all of the openings and provide it to the Committee at the next meeting.

LEG. NOWICK:

That would be great. Thank you.

LEG. NOWICK:

I just want to say on the record that in speaking with David and getting to know him, that he certainly has an interest and a love of museums and certainly the Vanderbilt. And I know you're very, very familiar with it. So, we thank you for volunteering.

MR. D'ORAZIO:

That would be my pleasure.

CHAIRMAN SCHNEIDERMAN:

I think the question concerns •• about additional openings. We certainly want to keep anyone who's been serving on this committee who's in good standing on the committee. This would be replacing an individual who I don't know, but I'm not sure why the person is leaving. I didn't know if it was on their own accord or •• I certainly would be curious to know. But that has nothing to do with you sir.

MR. D'ORAZIO:

Yeah, I have no knowledge of that.

CHAIRMAN SCHNEIDERMAN:

All right. Any other questions for Mr. D'Orazio? Okay. So, there might be questions of which slot •• there might be several open slots. We might want to give somebody an opportunity to continue service, if it's possible. So, we'll have to sort that out. What does the committee want to do? We're trying to ascertain whether there are additional openings on this committee.

LEG. CARPENTER:

This particular •• yeah, this particular slot expired December 31st of 2004. So, it's a very recent •• because I know the one that I had an appointment for expired in 2002. And generally they, you know, are held over until, you know, they realize that perhaps they need to be reappointed. But, you know, I would just want to make sure that we've checked that all out because this slot that is being filled, to the best of my knowledge, this person was very participatory, you know, in a lot of the events at the museum as a member of the board. Well, that's why I'm asking the question because it was only •• the term only expired 2004. December.

MS. KNAPP:

I believe ••

CHAIRMAN SCHNEIDERMAN:

Did he resign?

MS. KNAPP:

We do not have a resignation.

CHAIRMAN SCHNEIDERMAN:

All right. So, I'm not sure we're going to be able to move this until we have this answer.

LEG. COOPER:

Discharge without recommendation and get the answer by Tuesday.

LEG. CARPENTER:

Why don't we do that?

CHAIRMAN SCHNEIDERMAN:

Are we in a particular hurry here? I mean, the gentleman can attend the meeting.

LEG. NOWICK:

If we discharge without recommendation, and we find the answer, certainly, Mr. D'Orazio doesn't have to come back.

LEG. CARPENTER:

Definitely not.

LEG. NOWICK:

We're just trying to ascertain whether or not this opening actually exists. And that's the problem. Certainly you're •• it has nothing to do with you. Your qualifications are there. But there's a little question as to whether or not there truly is an opening. And that's what we need to know. So, we want to get it out on the floor. Until we find the answer; so that would be the way to go.

CHAIRMAN SCHNEIDERMAN:

Do you want to make that motion?

LEG. NOWICK:

Yes.

CHAIRMAN SCHNEIDERMAN:

Okay. Legislator Nowick is making a motion to discharge without recommendation. There's a second by Legislator Cooper. All in favor? Any opposed? Abstentions? Okay. So, it's discharged without recommendation. **(Vote: 5•0•0•1. Leg. Lindsay not present)** Okay, we will explain to the full Legislature why we made no recommendation on the discharge. It's no reflection upon yourself. Thank you, sir.

MR. D'ORAZIO:

Thank you.

LEG. CARPENTER:

Mr. Chairman, if you could, I have an issue that I'd like to raise. And I'm disappointed to see that the member of the Office of Film and Cultural Affairs, even though we had an appointment of the Suffolk County Citizens Advisory Board on our agenda, that the person from the office was not here at the Committee meeting. And •• but I am going to put this on the record; and I would just ask, then, if there's no one else from the department, if maybe the County Executive's Office who ultimately this office reports to could take this information back.

On January 24th, the Office of Film and Cultural Affairs sent a letter to one of the cultural arts grant recipients informing them that there would be a panel meeting on January 25th where funding recommendations would be finalized. And informing them that the recommendations would include criteria •• 13 criteria under various categories. And that the applications would be scored on a scale of zero to five based on this various criteria. And only those organizations judged to contribute would be scored, blah, blah, blah. But my problem is to send someone from one of these organizations a letter that was, you know, dated January 24th that there's going to be a meeting the next day when sometimes these organization, some of the cultural arts organizations don't meet on a daily basis, don't maintain an office, have, you know, volunteers manning them, is a little problematic, to say the least. So if you could check on that and get back to me, I'd really appreciate it.

CHAIRMAN SCHNEIDERMAN:

I see nods of affirmation.

LEG. CARPENTER:

Oh, they're great.

CHAIRMAN SCHNEIDERMAN:

All right. Thank you. Mr. Commissioner, is there any news, anything you need to update the Committee on?

COMMISSIONER FOLEY:

No.

CHAIRMAN SCHNEIDERMAN:

Okay. If there's no further business, then, we ••

LEG. CARPENTER:

Just one thing I'd just like to inform the Commissioner. Yesterday in Public Works I reviewed the agenda from the department on the various projects. And one of them was Sagtikos Manor. And they had said •• I forget the capital project number •• but •• 7814, maybe, something like that •• but it said that the floor plans were going to be completed the end of the month. And the report was dated January. So, I have them checking on whether they are, in fact, done today or not since we're in February. But I think there may have been a little bit of a fire lit. So, hopefully if you can follow•up, maybe we can see them move forward with that project.

COMMISSIONER FOLEY:

I'll check with DPW and find out what's going on.

LEG. CARPENTER:

Thank you.

CHAIRMAN SCHNEIDERMAN:

Thank you, Commissioner. If there's no further business, I'll move to adjourn. Second by the Deputy Presiding Officer. We are adjourned.

(THE MEETING CONCLUDED AT 12:09 PM)

Denotes spelled phonetically